

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TEXARKANA DIVISION

EHONG ESTEBAN SIU

§

VS.

§

CIVIL ACTION NO. 5:08cv119

KEITH ROY

§

ORDER

Petitioner, relying on the Supreme Court's decision in *United States v. Santos*, ___ U.S. ___, 128 S.Ct. 2020 (2008), asserts that his conviction for conspiracy to launder money in the United States District Court for the Western District of Washington should be vacated. Petitioner has filed a motion asking that proceedings in this matter be stayed pending a ruling on a motion to vacate, set aside or correct sentence he has filed in the court of conviction. He states his motion to vacate also relies on the decision in *Santos*.

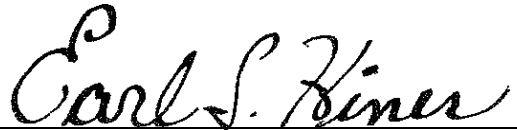
As a resolution of the motion to vacate in petitioner's favor would eliminate the need for this proceeding, the court is of the opinion petitioner's motion is meritorious. It is therefore

ORDERED that the motion to stay is **GRANTED** and this matter is **ADMINISTRATIVELY CLOSED**. When petitioner informs the court he

has received a ruling on his motion to vacate, this matter will be reopened.

In light of the foregoing, petitioner's motion requesting a hearing (doc. no. 9) is **DENIED** without prejudice to his ability to reassert the motion after this case is reopened.

SIGNED this 5 day of June, 2009.

A handwritten signature in cursive script, reading "Earl S. Hines", written over a horizontal line.

EARL S. HINES
UNITED STATES MAGISTRATE JUDGE